



STATE BOARD OF EQUALIZATION

450 N STREET, SACRAMENTO, CALIFORNIA

PO BOX 942879, SACRAMENTO, CALIFORNIA 94279-0080

(916) 322-2270 • FAX (916) 324-3984

www.boe.ca.gov

BETTY T. YEE
First District, San Francisco

SEN. GEORGE RUNNER (RET.)
Second District, Lancaster

MICHELLE STEEL
Third District, Rolling Hills Estates

JEROME E. HORTON
Fourth District, Los Angeles

JOHN CHIANG
State Controller

KRISTINE CAZADD
Executive Director

STATE BOARD OF EQUALIZATION MEETING
5901 Green Valley Circle, Room 207, Culver City
January 31-February 2, 2012
NOTICE AND AGENDA
Meeting Agenda (as of 4:30 p.m., 1/26/12)

[Agenda Changes](#)

[Webcast on Tuesday, January 31, 2012](#)

Tuesday, January 31, 2012

9:30 a.m. Board Meeting Convenes*

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Board Meeting*

- A. Homeowner and Renter Property Tax Assistance Hearings
There are no items for this matter.
- B. **Corporate Franchise and Personal Income Tax Hearings**
These items are scheduled for Thursday, February 2, 2012.
- C. **Sales and Use Tax Appeals Hearings**
(Contribution Disclosure forms required pursuant to Gov. Code, § 15626.)
 - C1. [Fidelity Asset Management, Inc., 358657 \(OH\) +](#)
For Claimant: Jim Fier, Representative
Joseph A. Vinatieri, Attorney
For Department: Cary Huxsoll, Tax Counsel
 - C2. [Frangi's Restaurant, Inc., 433581 \(AS\) +](#)
For Petitioner: Nate Holden, Representative
For Department: Scott Lambert, Hearing Representative
 - C3. [Vladimir Rodzai, 461627 \(AS\) +](#)
For Petitioner: Nate Holden, Representative
For Department: Scott Lambert, Hearing Representative

- C4a. Vincent Millhouse, 434901, 450539 (AS) +
C4b. Vincent Millhouse and Lisa Denise Smith, 434902 (AS) +
For Petitioners/Taxpayer: Vincent Millhouse, Taxpayer
For Department: Scott Lambert, Hearing Representative
- C5. East Coast Foods, Inc., 444779 (AS) +
For Petitioner: Sam L. White, Representative
John L. Sadd, Jr., Representative
For Department: MaryAnn Hay, Hearing Representative
- C6. Sunburst Maintenance Co., Inc., 421808 (AP) +
For Petitioner: Thomas C. Blanton, Taxpayer
Murray Greiff, Attorney
For Department: Scott Lambert, Hearing Representative
- C7. Glenn Alan Olson and Sheila Olson, 475832 (KH) +
For Petitioners: Glenn Olson, Taxpayer
For Department: Scott Lambert, Hearing Representative
- C8. Charlie Lee, 497366, 572712 (AS) +
For Taxpayer/Claimant: Charlie Lee, Taxpayer
Richard Kim, Witness
For Department: Scott Lambert, Hearing Representative
- C9. Team Post-Op, Inc., 447342, 448811(EA) +
For Petitioner/Claimant: Patrick Leone, Representative
For Department: Cary Huxsoll, Tax Counsel
- C10. Carlos Martin Escobar, 473069 (EH) +
For Petitioner: Carlos Escobar, Taxpayer
For Department: Scott Lambert, Hearing Representative
- C11. TJ's Metal Mfg., Inc., 469958 (AA) +
For Petitioner: Jose A. Gallegos, Taxpayer
Mary Akhlaghpour, Representative
Rodrigo F. Dulfo, Representative
For Department: Andrew Kwee, Tax Counsel
- C12. D and L Wireless, Inc., 535814 (EA) +
For Petitioner: Joseph S. Yung, Representative
Kristine E. Yung, Representative
For Department: Scott Lambert, Hearing Representative
- ~~C13. Kamal Noorzady, 509930 (EH) +~~
~~For Petitioner: Juan Guzman, Representative~~
~~For Department: Scott Lambert, Hearing Representative~~
- C14. Brandi R. Paris, 423064, 491278 (EA) +
For Petitioner/Claimant: Brandi Paris, Taxpayer
For Department: Cary Huxsoll, Tax Counsel

C15. Zoba International Corp., 434591 (EH) +

For Petitioner: Mohamed Mohab Sabry, Witness
David A. Alvarez, Representative
For Department: Andrew Kwee, Tax Counsel

C16. Mohammad Honarkar, 482560 (EA) +

For Petitioner: Mohammad Honarkar, Taxpayer
For Department: Cary Huxsoll, Tax Counsel

C17. Jeff Block, 447296 (EH) +

For Petitioner: Jeff Block, Taxpayer
For Department: Scott Lambert, Hearing Representative

D. Special Taxes Appeals Hearings

These items are scheduled for Wednesday, February 1, 2012.

There are no items for the following matters:

- E. Property Tax Appeals Hearings
- F. Public Hearings

G. Tax Program Nonappearance Matters – Consent

(Contribution Disclosure forms not required pursuant to Gov. Code, § 15626.)

G1. Legal Appeals MattersMr. Levine

- Hearing Notices Sent – No Response
 1. Stromberg Tanks International, 489648 (FH)
 2. Karlen Antonyan, 472389 (AC)
 3. Jeffrey R. Marshall, 466197 (AS)
 4. C.D.H.S. Group, Inc., 506013 (EA)
 5. Ana Patricia Cambara, 522216 (EA)
 6. Tres Hermanos, Inc., 483570 (AA)
 7. Revolution Supply Co., Inc., 470538 (EA)
 8. ~~Phillip C. Strickland, 480561 (UT)~~
 9. HPTV, Inc., 512899 (EA)
 10. Ramiro Romero Garcia, 520564 (EA)
 11. Carl Marantz and Nelly Marantz, 472797 (EA)

G2. Franchise and Income Tax Matters Mr. Epolite

- Decisions
 1. Debrah Barnett, 553219
 2. Brian K. Bates, 512076
 3. Sasha Esposito, 519276
 4. Victor L. Hall and Judith N. Okolie Hall, 534748
 5. Eufrancio L. Tugaff, 539300
- Petitions for Rehearing
 6. Michael Aidan, 522049
 - 7a. Eric B. Davis, 496009
 - 7b. Mary E. Davis, 512638

- G3. Homeowner and Renter Property Tax Assistance Matters
There are no items for this matter.
- G4. Sales and Use Taxes Matters.....Mr. McGuire
- Redeterminations
 1. Ralphs Grocery Company, 510404 (AA)
 2. Accurel Systems Intl. Corp., 509979 (GH)
 3. Warren E. Munday, 442766 (AC)
 4. Rubbermaid Incorporated, 562925 (OH)
 - Relief of Penalty
 5. Nextel Systems Corp., 595141 (OH)
 - Denial of Claim for Refund
 6. Ally Financial, Inc., 492605 (OH)
- G5. Sales and Use Taxes Matters – Credits, Cancellations, and RefundsMr. McGuire
- Refunds
 1. Queen Beach Printers, Inc., 531309 (EA)
 2. Chevron U.S.A., Inc., 559356 (BH)
 3. Chevron U.S.A., Inc., 535862 (BH)
 4. Jamac Steel, Inc., 569321 (EH)
 5. BMW of North America, 594792 (OH)
 6. Ally Financial, Inc., 492605 (OH)
 7. A-L Financial Corp., 578287 (EA)
 8. Sun Community Federal Credit Union, 505010 (FH)
 9. Conagra Foods Pkgd. Foods Co., Inc., 571331 (OH)
 10. Barclays Global Investors, NA, 561481 (BH)
 11. AMC Mortgage Services, Inc., 588286 (EA)
 12. Alexander Bouzari, 578643 (AS)

There are no items for the following matters:

- G6. Special Taxes Matters
- G7. Special Taxes Matters – Credits, Cancellations, and Refunds
- G8. Property Tax Matters
- G9. Cigarette License Fee Matters
- G10. Legal Appeals Property Tax Matters

There are no items for the following matters:

- H. Tax Program Nonappearance Matters – Adjudicatory
- I. Tax Program Nonappearance Matters

Chief Counsel Matters

There are no items for the following matters:

- J. Rulemaking
- K. Business Taxes
- L. Property Taxes
- M. Other Chief Counsel Matters

Administrative Session

- N. Consent Agenda
There are no items for this matter:

These items are scheduled for Thursday, February 2, 2012:

- O. Adoption of Board Committee Reports and Approval of Committee Actions
P. Other Administrative Matters

Announcement of Closed Session Ms. Olson

Q. Closed Session

- Q1. Discussion and approval of staff recommendations regarding settlement cases (Rev. & Tax. Code, §§ 6901, 7093.5, 30459.1, 50156.11).
- Q2. Pending litigation: *Western States Petroleum Association v. State Board of Equalization*, Court of Appeal, Second Appellate District, Division Eight, Case No. B225932 (Gov. Code, § 11126(e)).
- Q3. Discussion and action on personnel matters (Gov. Code, § 11126(a)).

Announcement of Open Session..... Ms. Olson

Recess - The meeting will reconvene on Wednesday, February 1, 2012, at 9:30 a.m.

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Diane G. Olson, Chief
Board Proceedings Division

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C. Sales and Use Tax Appeals Hearings

(Contribution Disclosure forms required pursuant to Gov. Code, § 15626.)

C18. [John A. Bart, 462215 \(EH\) +](#)

For Petitioner: Appearance Waived

For Department: Andrew Kwee, Tax Counsel

C19. [America Wood Finishes, Inc., 460325 \(AA\) +](#)

For Petitioner: Jesus J. Mejia, Representative

For Department: Scott Lambert, Hearing Representative

C20a. [Timothy O. Finnerty, 417833 \(EH\) +](#)

C20b. [Timothy O. Finnerty and 21st Century Oil-Front Company, 417777 \(EH\) +](#)

For Petitioner/Claimants: James R. Jamieson, Representative

Kevan McLaughlin, Attorney

For Department: Scott Claremon, Tax Counsel

C21. [William Blaine Riggle, 417558, 417559 \(FH\) +](#)

For Petitioner: Mitchell B. Dubick, Attorney

For Department: Scott Claremon, Tax Counsel

- C22. Massoud Khazaie, 459689 (AR) +
For Petitioner: Massoud Khazaie, Taxpayer
For Department: Scott Lambert, Hearing Representative
- C23. Nnadi Linus Udengwu, 515515 (AP) +
For Petitioner: Nnadi Udengwu, Taxpayer
Cosmas Udengwu, Witness
For Department: Scott Lambert, Hearing Representative
- C24. Kimberly Shena Grigsby, 442731 (UT) +
For Petitioner: Kimberly Grigsby, Taxpayer
For Department: Pamela Mash, Tax Counsel
- C25. Russell Guerard West, 489130 (UT) +
For Petitioner: Russell G. West, Taxpayer
Dennis Sarna, Representative
Mark Koorennny, Attorney
For Department: Erin Dendorfer, Tax Counsel
- ~~C26. Deanna Robinson Interiors, Inc., 519485 (EA) +~~
~~For Petitioner: Deanna Robinson, Taxpayer~~
~~William E. Walls, Attorney~~
~~For Department: MaryAnn Hay, Hearing Representative~~
- C27. Tho Phuoc Pham, 509278 (AP) +
For Petitioner: Tom Pham, Representative
For Department: Scott Lambert, Hearing Representative
- ~~C28. DK Supplies, Inc., 509933 (EA) +~~
~~For Petitioner: David Tang, Attorney~~
~~For Department: Scott Lambert, Hearing Representative~~
- C29. Marcelo Co, 485816 (EH) +
For Petitioner: Nate Green, Representative
For Department: MaryAnn Hay, Hearing Representative
- ~~C30. Max Express, Inc., 464061 (AA) +~~
~~For Petitioner: Hardy Huang, Witness~~
~~Walter Weiss, Attorney~~
~~Michael Gorges, Attorney~~
~~For Department: Andrew Kwee, Tax Counsel~~
- C31. Thomas L. White, 476399 (AS) +
For Petitioner: Nate Green, Representative
For Department: Erin Dendorfer, Tax Counsel

D. Special Taxes Appeals Hearings

(Contribution Disclosure forms required pursuant to Gov. Code, § 15626.)

D1. Eric Anthony Guidice, 380212 (ET) +

For Petitioner: James Han, Representative
For Department: Pamela Mash, Tax Counsel

D2. Malvinder Sonny Matharu, 515190 (MT) +

For Petitioner: Malvinder S. Matharu, Taxpayer
Paiypal S. Matharu, Witness
For Department: Carolee Johnstone, Tax Counsel

Recess - The meeting will reconvene on Thursday, February 2, 2012, at 9:00 a.m.

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Board Meeting*

Special Presentations

2010/2011 Employee Recognition Award Program Ms. Herrera

The Board will announce and congratulate recipients of the Employee Recognition Awards who work in the Southern California and Out of State District Offices.

Administrative Session

Items that appear under these matters provide information to the Members and may require Board action or direction.

O. Adoption of Board Committee Report and Approval of Committee Actions

O1. Legislative Committee – January 11, 2012

P. Other Administrative Matters

P1. Executive Director's Report Ms. Cazadd

1. CROS Project Update and Actions Mr. Steen
Progress on the CROS project to replace BOE's two current tax legacy technology systems.

P2. Chief Counsel Report
There are no items for this matter.

- P3. Sales and Use Tax Deputy Director's ReportMr. McGuire
 1. Discussion of Qualified Purchaser Program Procedures

There are no items for the following matters:

- P4. Property and Special Taxes Deputy Director's Report
 P5. Administration Deputy Director's Report
 P6. Technology Deputy Director's Report
 P7. External Affairs Deputy Director's Report

B. Corporate Franchise and Personal Income Tax Hearings

(Contribution Disclosure forms required pursuant to Gov. Code, § 15626.)

B1. Comcast Cablevision Corporation of California, Taxpayer, and Comcon Production Services I, Inc., Assumer, 424198 +

For Appellants: John Alchin, Witness
 Neal Grabell, Witness
 Jon A. Sperring, Representative
 Jeffrey A. Friedman, Attorney
 For Franchise Tax Board: Jeffrey Margolis, Tax Counsel
 Carl Joseph, Tax Counsel

~~**B2. Thomas E. Rubin, 461570 +**~~

~~For Appellant: James T. Bristol, Representative
 For Franchise Tax Board: Michael Cornez, Tax Counsel
 Karen Smith, Tax Counsel~~

B3. Leo R. Boese, 547667 +

For Appellant: Jay Larsen, Representative
 Victor Kawana, Representative
 For Franchise Tax Board: Ann H. Hodges, Tax Counsel
 Bill Hilson, Tax Counsel

B4. Donald L. Maxted and Jan E. Maxted, 558105 +

For Appellants: Robert E. James, Witness
 Faustino J. Medina, Representative
 AnneElise P. Goetz, Attorney
 For Franchise Tax Board: Raul Escatel, Tax Counsel
 Bill Hilson, Tax Counsel

B5. Reginald D. Davis and Rebecca J. Joslin-Davis, 534788 +

For Appellants: Margarita Stone, Attorney
 For Franchise Tax Board: Karen Smith, Tax Counsel
 Jozel Brunett, Tax Counsel

~~**B6. Wilson Montevilla, 550849 +**~~

~~For Appellant: Wilson Montevilla, Taxpayer
 For Franchise Tax Board: Anjali Balasingham, Tax Counsel
 Diane Ewing, Tax Counsel~~

B7. Shirley A. Tolela, 522393 +

For Appellant: Shirley A. Tolela, Taxpayer
For Franchise Tax Board: Karen Smith, Tax Counsel
Jozel Brunett, Tax Counsel

B8. Citation Development Company, 567630 +

For Appellant: Steve McNulty, Representative
For Franchise Tax Board: Nancy E. Parker, Tax Counsel
Karen Smith, Tax Counsel

~~B9. Michael Zapara and Gina Zapara, 252128 +~~

~~For Appellants: Gina Zapara, Taxpayer
For Franchise Tax Board: Diane Ewing, Tax Counsel
Jozel Brunett, Tax Counsel~~

~~B10. Applied Companies, 526527 +~~

~~For Appellant: Joe Klinger, Representative
For Franchise Tax Board: Michael Cornez, Tax Counsel
Bill Hilson, Tax Counsel~~

B11. Richard H. Levin and Linda D. Levin, 571155 +

For Appellants: Richard H. Levin, Taxpayer
For Franchise Tax Board: Anjali Balasingham, Tax Counsel
Michael Cornez, Tax Counsel

Adjourn

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